

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Elimination of the Main Studio Rule)	
)	MM Docket No. 17-106
)	

COMMENTS OF CORNERSTONE COMMUNITY RADIO, INC.

Cornerstone Community Radio, Inc. ("CCR") hereby offers these comments in support of the FCC's proposal to repeal the "main studio" rule. CCR is the licensee of seven noncommercial educational radio stations (AM and FM) in Illinois and Iowa, several of which operate with waivers of the main studio rule.

Many noncommercial stations have received waivers of the rule, because the costs it imposes are incompatible with the limited sources of revenue available to NCE broadcasters. Similar waivers would be appropriate for many commercial AM and FM stations, for the same reasons – but to the best of CCR's knowledge no such waiver has ever been granted to a commercial station. Some commercial stations operate as, effectively, noncommercial broadcasters, eschewing commercial advertising in favor of direct or indirect listener support. But even stations which accept advertising, especially those in rural areas or small markets, are financially strapped by the expenses dictated by embellishments to the main studio rule long since rendered obsolete and oppressive by advances in the industry and technology. The ability of those

“commercial” stations, as well as noncommercial stations, to render the best or most needed service to the populations they are licensed to serve is hobbled by the costs associated with an antiquated rule. And the FCC has dictated that commercial stations are not eligible for a waiver of the rule, no matter how limited their financial resources.

The “main studio rule” – Section 73.1125 of the Rules – requires each station, commercial and noncommercial, to locate a “main studio” within (in most cases) the station’s community of license, principal community service contour (the 3.16 mV/m contour for FM stations, 5.0 mV/m for AM stations) or a 25-mile radius from the reference point of the community of license. Ancillary requirements to the rule adopted by the FCC over time have become more burdensome than the rule itself. These include, among other embellishments, (1) the “origination” of a majority of the station’s “local” programming from the main studio; (2) the availability of “program origination” equipment at the main studio; (3) public access to the station’s public inspection file at the main studio at all times during “normal business hours;” (4) staffing by two “full-time employees,” including “one management-level employee” (although the FCC has clarified this does not necessarily mean both employees must be present on the premises at all times or the same time). A main studio may be the location of the “control point” for the remote monitoring and operation of the station’s transmission system.

A “waiver” of the main studio rule, for a noncommercial station, requires the designation of an alternative “main studio” at a non-conforming location, usually the “main studio” of a commonly-owned station – one that originates programming, will maintain separate public inspection files for each station and has at least two “full time” employees. Effectively, the station that has received a waiver operates at most times as a “satellite” of the commonly-owned station. Typically, a waiver will be granted subject to various undertakings by the applicant the FCC believes are needed to assure listeners access to station officials and the station’s public inspection file, and stations, even with a waiver, remain subject to Section 73.1125(e) of the Rules, requiring the licensee to maintain a “toll-free” telephone line to the new, non-conforming main studio.

The main studio rule conflates service to the public with bricks and mortar, and the public interest with a continuous human presence. The most serious adverse consequences are for communities who receive second class service, or no service at all, because licensees are compelled to devote limited revenues to rent, or building and maintenance costs, and payrolls required to comply with the FCC’s rule. Dollars needed to pay rent, utility bills and salaries can’t be spent on the best programming or the most technologically advanced equipment.

Rather than fostering local service, the main studio rule impedes – and in some cases prevents – development of local radio stations to serve rural or

exurban areas, or service to niche audiences. Some of the stations that are not built, or which go out of business because of financial stress, could be, for example, minority-owned and operated or provide foreign language programming. CCR has acquired stations – and now operates those stations with waivers of the main studio rule – for which the expenses associated with the main studio rule were an insurmountable barrier to viable independent operation.

CCR is licensed to operate noncommercial FM stations in communities as small as Keokuk, IA (population 10,780), Carlinville, IL (pop. 5,665), White Hall, IL (pop. 2,436) and Petersburg, IL (pop. 2, 216). These stations, and the other stations operated by CCR, are all supported by listeners (directly or indirectly, as some national programmers share donations they receive from listeners to CCR's stations) and local underwriters. None of these stations could continue to provide service without waivers of the main studio rule. A rule that retards development of new and diverse services, and where the public interest demands a waiver, should be eliminated.

As permitted by the waivers CCR has been granted, all of its stations, even in rural and exurban areas, are able to provide air time to local organizations, community bulletin board announcements, programs from a number of different national networks, programs that address issues important to local audiences, and a variety of educational programs.

Functions that the main studio rule has purported to serve have been obsoleted by ubiquitous Internet access (an estimated 87 percent of Americans use the Internet), regulatory improvements (by March 2018, public inspection files for all stations will be migrated to an FCC-supported web site, accessible to the public from any location via the FCC's or the station's web site), and other technological advances. CCR's web site provides a program schedule, a newsletter, a calendar of community events, a portal for contributions and an e-mail link for comments from the public, plus additional contact information. In addition to over-the-air broadcasts by CCR's stations, programming is streamed, live, to hundreds of listeners over the Internet.

A studio, in the conventional sense, is now superfluous. High quality programs can be produced and delivered via automation software with a laptop computer. (As evidence, the FCC should note the thousands of "podcasts" now produced at a dining room table and delivered to listeners via the Internet. Podcasters, of course, are not burdened with a main studio requirement.) Remote control and monitoring of transmission systems can now be provided from anywhere Internet service is available.

The shift of consumers to digital telephone services – cellphones (more than fifty percent of households now have *only* cellphone service), fiber and VOIP – means, for many people, "long distance" calls are no longer associated with additional tolls. Thus, conditions to which even waiver applicants remain

subject (e. g., separate "paper" public files for each station, toll-free telephone numbers) now will serve no useful purpose.

For the foregoing reasons, the main studio rule, and all of the embellishments the FCC has in the past attached to the rule, should be repealed expeditiously and their entirety.

Respectfully submitted,

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